

AFFIDAVIT OF SETH PLUMB IN SUPPORT OF CRIMINAL COMPLAINT

I, SETH PLUMB, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with United States Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations (“HSI”), and am assigned to the office of the Special Agent in Charge in Boston, Massachusetts. I have been an agent of HSI since 2003. As part of my duties, I investigate criminal violations relating to child exploitation, child pornography, and transportation of minors, including but not limited to violations of 18 U.S.C. §§ 2251, 2252, 2252A, and 2422. I have received training in the investigation of child pornography, child exploitation, and transportation of minors, and have had the opportunity to observe and review examples of child pornography (as defined in 18 U.S.C. § 2256(8)).

2. I am currently participating in an investigation of Scot B. LETOURNEAU, Quincy, MA, for receipt and possession of child pornography in violation of Title 18, United States Code, Sections 2252A(a)(2) and (a)(5). This affidavit is submitted in support of a criminal complaint charging LETOURNEAU with receipt of child pornography in violation of 18 U.S.C. §§ 2252A(a)(2)(A) and (b)(1) and possession of child pornography in violation of 18 U.S.C. §§ 2252A(a)(5)(B) and (b)(2).

3. My knowledge of the facts alleged in this affidavit arises from my personal observations, my participation in the federal investigation described herein, my conversations with other law enforcement agents involved in this investigation, my review of records obtained during this investigation, and my training and experience.

4. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the crimes charged in the complaint were committed.

PROBABLE CAUSE REGARDING CHILD PORNOGRAPHY

5. The Department of Homeland Security, Homeland Security Investigations, Office of the Resident Agent in Charge Hartford, Connecticut (“HSIHC”) received a request for assistance from Connecticut State Police, Computer Crimes Unit (“CSP”) regarding an individual, Nathan MINOR, residing in Wethersfield, CT, who was believed to be involved in the trading of images and videos depicting child pornography through the Internet.

6. On January 7, 2015, members of the CSP along with detectives from the Wethersfield Police Department (“WPD”) executed a search warrant at 1001 Folly Brook Boulevard, Wethersfield, Connecticut. The search warrant affidavit alleged that an individual residing at that address was involved in the possession and online sharing of images and videos depicting child pornography on Dropbox, a file hosting service operated by Dropbox, Inc.

7. The search warrant resulted in the seizure of one Apple iPod touch that was used by and seized from Nathan MINOR (DOB: xx/xx/1998) and taken back to CSP Forensic Lab for further forensic analysis.

8. During the forensic examination of the Apple iPod touch, CSP located saved conversations between MINOR and other individuals utilizing Kik Messenger to discuss their sexual predilection towards children and exchange images and videos depicting child pornography.

9. During one particular conversation that ran from December 19, 2014 through December 22, 2014, MINOR, using a screen name of "Nate M" and a Kik Username of natenate298, chatted with an individual with a screen name of "Brandon S" and a Kik Username of riki_ricardo1. During this conversation the user "Brandon S" transmitted the following images of child exploitation material to "Nate M":

a. **ec2ec169-d495-462e-ab5f-4a02e1147f72:**

Transmitted at 2014-12-21 22:31:39 (EST)

This image is of a partially nude prepubescent male on his knees bent over the back of a couch; the prepubescent male's anus and scrotum are in view.

b. **db0bfb7f-b369-47f1-8982-58269cb38d0b**

Transmitted at 2014-12-21 22:35:53 (EST)

This image is of a nude prepubescent male on his back in the sand holding his legs behind the knees to expose his anus, scrotum and penis.

c. **02a006f3-8c93-4a63-bf61-ff1f281a0df4**

Transmitted at 2014-12-21 22:44:28 (EST)

This image is of a nude prepubescent male sitting with left knee bent his penis in his left hand.

10. On January 21, 2015 an HSI Summons was issued to Kik Interactive, Inc. ("Kik"), requesting subscriber information for the user name "niki_ricardo1".

11. On January 22, 2015, Kik responded to the Summons with the following information:

Username: riki_ricardo1

First Name: Brandon

Last Name: S

Email: nucollegeguy6969@yahoo.com

IP address on 01/22/2015: 173.162.175.241

Registration Timestamp: 10/01/2014 at 23:20:36 EDT

Device type: iPhone

Model: iPhone

12. Law enforcement used publically available search tools to identify IP address 173.162.175.241 on 10/01/2014 at 22:20:36 EDT as belonging to Comcast Cable

Communications, LLC. On March 9, 2015 a HSI Summons was issued to Comcast Cable Communications, LLC for the subscriber information for the account that was assigned IP address 173.162.175.241 on 10/01/2014 at 22:20:36 EDT. Specifically, Comcast Cable Communications, LLC was requested to provide account holder information, service type, service location, and email address(es).

13. On March 16, 2015, Comcast Cable Communications, LLC responded with the following information:

Subscriber Name:	Environmental Health Eng
Service Address:	117 4th Ave Needham, MA 02494-2725
Telephone #:	781-247-4300
Type of Service:	High Speed Internet Services
Account Number:	8773103000209007
Start of Service:	11/25/2009
Account Status:	Active
IP Assignment:	Statically and Dynamically Assigned
Current IP Address:	See Attached *
E-mail User Ids:	None Found
Method of Payment:	Statement sent to above address

*One of the current Statically Assigned IP addresses is 173.162.175.241

14. On March 10, 2015 an HSI Summons was issued to Yahoo!, Inc. for subscriber information associated with email address nucollegeguy6969@yahoo.com.

15. On April 22, 2015, Yahoo!, Inc. responded to the Summons with the following information:

e-mail:	nucollegeguy6969@yahoo.com
Name:	Mr. College Guy
Alt. Comm.:	Brandon.s2008@gmail.com Brandon.s2008@outlook.com
Created on:	02/12/2003- 19:18:17 GMT
IP:	129.10.77.188 50.133.220.196 on 11/22/2014 at 18:03:17 GMT

IDENTIFICATION OF SUBJECT PREMISES

16. Law enforcement used publically available search tools to identify IP address 50.133.220.196 (November 22, 2014 18:03:17 GMT) as belonging to Comcast Communications ("Comcast"). On April 29, 2015, an HSI Summons was issued to Comcast, requesting subscriber information, assigned on November 22, 2014 at 18:03:17 GMT, to IP address 50.133.220.196. Specifically, Comcast was requested to provide account holder information, service type, service location, and email address(es).

17. On April 30, 2015, Comcast responded with the following information:

Subscriber Name: Michael YEUNG
Service Address: 73 Franklin Ave
Quincy, MA 02170-3012
Telephone #: xxx-xxx-2745
Type of Service: High Speed Internet Services
Account Number: 8773102271663462
Start of Service: Unknown
Account Status: Active
IP Assignment: Dynamically Assigned
Current IP Address: 50.133.220.196 as of 04/29/2015
E-mail User Ids: 3c8d86cc5e23462e95a7b701e5265eac
(the above user ID(s) end in @comcast.net)
Method of Payment: Statement sent to above address

18. The HSI Summons issued on April 29, 2015 to Comcast requested subscriber information for the IP address 50.133.220.196 as it was assigned on November 22, 2014. Comcast's response shows that the Dynamically Assigned IP address was for 73 Franklin Avenue, Quincy, MA ("SUBJECT PREMISES"), on November 22, 2014, and persisted at that physical address until the date their response was prepared on April 29, 2015. A Dynamically Assigned IP address is assigned by the Internet Service Provider's server using the Dynamic Host Configuration Protocol ("DHCP"), and will remain static for as long as the modem assigned that IP address owns the "lease", or term for which that particular IP address is assigned. Since modems are generally powered on for extended periods of time, the "lease" is usually set for an extended period of time. This means that even in the event of a power outage, or if the device is purposefully powered down, the IP address will most likely be the same once power is restored to the device.

19. Based on my training and experience, a single IP address assigned to a particular service address may be used by multiple individuals who reside at that address. Moreover, multiple residents of a particular residential address often use a single Internet Service Provider account. Therefore, the subscriber whose name is assigned to an Internet Service Provider account may or may not be the same individual who uses the account at any given time.

20. HSI agents searched the City of Quincy Assessors Database and found that the SUBJECT PREMISES is a single family residence jointly owned by Michael YEUNG and Scot B. LETOURNEAU.

21. HSI searched Massachusetts Registry of Motor Vehicles ("RMV") records for the SUBJECT PREMISES and found the following active Massachusetts driver's licenses at that address.

Name: YEUNG, Michael
Date of Birth: xx/xx/1982

License Number: S56490482
Social Security Number: xxx-xxx-7100

Name: LETOURNEAU, Scot B.
Date of Birth: xx/xx/1972
License Number: S31269420
Social Security Number: xxx-xx-7164

22. On or after April 30, 2015, HSI searched publically available search tools for the name Scot LETOURNEAU and found one profile under that name on the website LinkedIn.com. That profile indicated that LETOURNEAU works at Environmental Health and Engineering in Needham, MA—the same business to which Comcast Business Communication indicated that the IP address 173.162.175.241 was assigned on 10/01/2014 at 22:20:36 EDT.

23. HSI searched the Interstate Identification Index and found that LETOURNEAU is also associated with FBI #57282AC5 and SID#NH637348, which relates to a conviction for Child Pornography charges in 2004. On April 30, 2015, HSI Hartford sent a request to Cheshire County Superior Court for copies of any and all records related to LETOURNEAU.

24. On May 4, 2015, Cheshire County Superior Court responded to the request with the following information:

Scot LETOURNEAU (DOB: xx/xx/1972)
Offense: Distribution of Child Pornography RSA: 649-A:3
Date: 10/19/2002
Disposition: Guilty
Conviction: Felony
Sentence: 12 months (suspended after 6 months for good behavior) Probation 3 years.

25. On May 20, 2015, this Court authorized a search warrant for the SUBJECT PREMISES.

EXECUTION OF SEARCH WARRANT

26. On May 21, 2015, law enforcement executed the search warrant at the SUBJECT PREMISES. Once the residence was secured, the sole occupant was identified as Scot B. LETOURNEAU (DOB: xx/xx/1972).

27. Law enforcement advised LETOURNEAU of his Miranda rights. LETOURNEAU stated that he understood his rights. He said that his partner, Michael YEUNG, was away from the residence and had been traveling on Cape Cod since at least the prior evening, May 20, 2015.

28. A search of the Subject Premises revealed several electronic devices, including one iPhone, which LETOURNEAU said belonged to his employer. LETOURNEAU provided law enforcement with the password necessary to unlock the iPhone. A preliminary forensic examination on scene found that eight images of child pornography had been sent using the

account "riki_ricardo1" on Kik Messenger to another individual between the period of May 20, 2015 at 10:58 p.m. EDT and May 21, 2015 at 12:03 a.m. An additional four images of child pornography were received by the account "riki_ricardo1" on Kik Messenger from another user during the same period. The forensic examination of the electronic devices seized from the SUBJECT PREMISES is ongoing. I have viewed examples of the images recovered from the iPhone, and the following is a sample description of the images:

a. **62b441ac-8401-439f-8308-88257a2b5d38:**

Transmitted at 2015-05-20 23:06:03 (EDT)

This image is of a nude prepubescent minor male on his back with his buttocks elevated and legs spread with his anus and scrotum exposed. Another individual's hands are grasping the minor's thighs and buttocks area.

b. **5c9c3057-2951-4b33-9308-74b649f88b4f:**

Received at 2015-05-20 23:14:29 (EDT)

This image is of a two nude prepubescent minor males standing next to each other in front of a mirror. One of the minor males is turned toward the other and his penis is nearly touching the other minor male's penis.

c. **e38934f4-5d36-4a20-b6cf-1992fd9a52c5:**

Transmitted at 2015-05-20 23:39:14 (EDT)

This image is of a minor male performing oral sex on another male.

d. **9c0b53b0-24a4-4607-b306-a53282b2febd:**

Transmitted at 2015-05-20 23:47:23 (EDT)

The image is of a partially clothed prepubescent minor male laying on his stomach with his buttocks, scrotum, and thighs exposed, with what appears to be semen near his anus.

CONCLUSION

29. Based on the information set forth above, there is probable cause to believe that Scot B. LETOURNEAU did knowingly receive and possess child pornography in violation of 18 U.S.C. § 2252A(a)(5) (Possession of Child Pornography) and 18 U.S.C. § 252A(a)(2)(A) (Receipt of Child Pornography).

Sworn to under the pains and penalties of perjury,



SETH PLUMB

Special Agent

Homeland Security Investigations

SUBSCRIBED and SWORN to before me on May 21, 2015


DONALD L. CABELL
UNITED STATES MAGISTRATE JUDGE

